

REMARKS

Claims 1 and 3-8 remain in this application.

Claim Rejections Under 35 USC §103(a)

Applicant, upon review of the Examiner's new rejection under section 103(a), respectfully believes the Examiner has failed to meet the burden of establishing a prima facie case of obviousness by rejecting claims 1, 3, 4, 7 and 8 over Windeler (US 3,483,597, referred to hereafter as "Windeler") in view of Thorsrud (US 4,968,726, referred to hereafter as "Thorsrud") and Adams (US 4,375,441, referred to hereafter as "Adams"). Given the lack of disclosure or teaching in all the cited references, whether considered separately or in combination with one another, where proper, that would direct one having ordinary skill in the art to arrive at Applicant claimed method of fabricating PTFE material, Applicant respectfully believes that the rejection should be withdrawn, and the claims allowed.

Claim 1, as previously submitted, calls for a preparing mixture of PTFE resin powder and a susceptor material. Then, feeding the mixture into a compaction zone to at least partially compact and shape the mixture, and providing a continuous flow of the mixture from the compaction zone to a heating zone and heating and sintering the mixture within the heating zone by exciting the susceptor material by application of wave energy and drawing a vacuum on the mixture within the heating zone while sintering the mixture to extract air from the mixture.

The Examiner looks to Windeler to provide one of the missing steps, i.e. drawing a vacuum within the heating zone while sintering a mixture (not specified as a PTFE mixture); however, at the same time, the Examiner acknowledges that Windeler does not explicitly teach (a) a continuous process, (b) drawing a vacuum within the heating zone while sintering the mixture, and (c) providing a mixture and heating the mixture with the heating zone by exciting a susceptor material by application of wave energy. The Examiner then goes on to state that even if Windeler were considered a batch process, it is generally considered to be prima facie obvious to make a batch process continuous. It is with all due respect that Applicant brings to the Examiner's attention that it requires

more than a mere combination of the individual steps of Windeler, whether they are continuous or batch, to arrive at Applicant's claimed process.

Applicant acknowledges that Windeler teaches drawing a vacuum through vents 35a, and further acknowledges that the vents 35a are located prior to the heating zone B. However, Applicant does not concur with the Examiner's submission that the vacuum drawn through the vents 35a would be drawn substantially over the whole portion of the extruder where open porosity persists, thereby drawing a vacuum "within" the heating zone B while sintering the mixture. This is a conclusion drawn solely from view of Applicant's claimed process, without any support otherwise. The purpose of the vents 35a in Windeler is to remove any porosity by bleeding out any occluded air within the material in the perform zone A (Col. 1, lines 57-60; Col. 3, lines 7-11), without any mention of air removal occurring beyond zone A. Accordingly, the conclusion made by the Examiner that the vacuum is drawn "within" the heating zone B is without merit, as there should be no porosity within the material at this point. Aside from this, there is no express support or suggestion within Windeler which could or would lead one to surmise that a vacuum is drawn in the heating zone B and during sintering, aside from viewing Applicant's disclosure.

The Examiner then looks to combine the method of Thorsrud with Windeler, stating that it would have been obvious to incorporate the method of Thorsrud into that of Windele, and further that Adams would motivate one to make the combination of Thorsrud with Windler because of the desirable aspects of dielectric heating in a molding process. However, given the above analysis of Windeler, Applicant respectfully believes this combination to be moot, as it still fails to arrive at Applicant's inventive process. It is not enough to make assumptions, such as done with Windeler. Applicant, barring the Examiner coming forward with art the teaches the claimed process, either along or in combination with one or more references, respectfully believes that the rejections should be withdrawn.

Accordingly, Applicant believes claim 1 to define patentable subject matter and to be in proper condition for allowance. Such action is respectfully requested.

Claims 3, 4, 7 depend directly on amended claim 1, and thus, are believed to define patent subject matter for at least the same reasons and to be in proper condition for allowance. Such action is respectfully requested.

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Claim 8 is believed to define patentable subject matter for at least the same reasons stated in support of amended claim 1 and to be in proper form for allowance. Such favorable action is respectfully requested.

Applicant respectfully believes the Examiner has failed to meet the burden of establishing a prima facie case of obviousness by rejecting claims 5 and 6 over Windeler in view of Thorsrud, Adams, and further in view of Kalis (US 5,609,624) for at least the same reasons stated above in support of claim 1. As such, Applicant respectfully requests that the rejections be withdrawn and the claims allowed.

It is believed that this application now is in condition for allowance. Further and favorable action is requested.

The Patent Office is authorized to charge or refund any fee deficiency or excess to Deposit Account No. 04-1061.

Respectfully submitted,

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Date

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